

**MINUTES OF THE MEETING OF THE  
BOARD OF PSYCHOLOGISTS**

November 17, 2006

**Draft**  
These minutes have  
NOT been approved  
by the Board

**ORAL EXAMINATION ADMINISTRATION**

10:00 A.M. to 11:30 A.M. - Closed to Public in order to administer the Oral Examination.

Congratulations were extended to the following candidates who received a passing score (80% or above) on the examination:

Barrett, Kathleen  
Bradley, Lorena  
Browne, Myla  
Doll, Elizabeth  
Friedman, Joshua  
Gleason, Angela  
Hill Yarrington, Marni  
Nash, Cindy  
Newring, Kirk  
Petersen, Larra  
Reinsers, Beth  
Vermooten, Linda

**1. ROLL CALL**

The meeting of the Board of Psychologists was called to order by the Dr. Ullman, Chair at 11:45 A.M., in the Sixth Floor, Conference Room Z, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members, and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

**Members**

Daniel Ullman, Ph.D.  
Daniel Bizzell, Ed.D.  
John Curran, Ph.D.  
Ann Heermann  
Lori L. Wall, Ph.D.  
Louise Jeffrey, Ph.D.  
Diane Miller-Ruhlman

**Board Representation**

- Chairperson  
- Vice-Chairperson  
- Member  
- Member  
- Member  
- Member  
- Secretary

**Other(s) Present**

Barb Remmers  
Julie Agena  
Mike Grutsen  
Carol Ann Gray  
Cindy L. Kelley

**Agency Representation**

- Investigations & Enforcement Division  
- Asst. Attorney General  
- Investigations  
- Credentialing Division  
- Credentialing Division

**2. ADOPTION OF AGENDA**

♦ **MOTION:** Bizzell, seconded by Heermann, to amend the agenda to include the Investigations Quarterly Report and then to accept the agenda as amended. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey, Miller-Ruhlman. (7) Voting nay: none (0). Absent: none (0). Motion carried.

Ullman stated that the September 15, 2006 minutes should be amended as follows:

Section 7(c) should read: "Ullman stated that he has been in correspondence with retiree Dr. William Miller. Dr. Miller mentioned that it's difficult to find, in research, an actual impact in a licensee's practice, when he/she goes to hit and run workshops. Dr. Miller suggested a training model, diffusion of new

treatments, and to break up into small groups to practice the skills and receive immediate feed back from the instructor. Chiles stated that a factor to consider when developing a workshop and utilizing Board funds, is to offer the workshop to as many licensees as possible, rather than restricting to small groups.”

Section 3 (Approval of Minutes), the paragraph prior to “Dr. Cole provided a document....” should be deleted.

◆ **MOTION:** Jeffrey moved, seconded by Curran to approve the minutes of September 15, 2006 with amendments. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey. (6) Voting nay: none (0). Abstaining: Diane Miller-Ruhlman (1). Absent: none (0). Motion carried.

#### **4. PRESENTATION OF QUARTERLY REPORT**

Grutch presented the quarterly report.

12:00 P.M. - Grutsch departed the meeting

#### **5. INVESTIGATION INFORMATION – CLOSED SESSION**

◆ **MOTION:** Jeffrey moved, seconded by Bizzell to enter into closed session at 12:00 P.M., to hear discussions of investigative reports and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey, Ruhlman. (6) Voting nay: none (0). Absent: none (0). Motion carried.

12:02 P.M. - Kelley departed the meeting  
12:04 P.M. - Ullman out – Conflict of Interest  
12:10 P.M. - Ullman returned  
12:11 P.M. - Bizzell and Ullman departed – Conflict of Interest  
12:20 P.M. - Bizzell and Ullman returned

◆ **MOTION:** Bizzell moved, seconded by Jeffrey to enter into open session at 12:50 P.M. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Jeffrey, Wall, Miller-Ruhlman. (7) Voting nay: none (0). Absent: none (0). Motion carried.

12:50 P.M. - Remmers departed

#### **5. DISCIPLINARY INFORMATION – OPEN SESSION**

##### **a. Actions Pending/Taken**

None to report

#### **6. APPLICATION REVIEW AND BOARD DETERMINATION**

##### **a. Reinstatements**

There were no applications for reinstatement received since the last meeting of the Board.

##### **b. Education / Internship / Convictions**

##### **Brian Miller**

Dr. Miller applied for a provisional psychology license. He has earned a PhD in human development and family studies. He had a major in marriage and family therapy from Iowa State University. Dr. Curran did review his internship for equivalency and found several deficiencies. The Board needs to determine first

whether the degree earned by Dr. Miller is a program of graduate study in psychology. If the Board believes the program is psychology, then the Board will need to review the program for APA equivalency. The Regulations require a doctorate degree from a program of graduate study and professional psychology from an institution of higher education that meets the standards of accreditation adopted by the APA, or equivalency.

◆ **MOTION:** Bizzell moved, seconded by Curran to reject the application of Brian Miller based on the conclusion that he has not earned a degree which is a program of graduate study in psychology. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey, Ruhlman. (6) Voting nay: none (0). Absent: none (0). Motion carried.

### **Kelly Fairbanks**

Ms. Fairbanks applied for registration as a psychological assistant. She received a master's degree in counseling from Doane College. She requested that we review the curriculum for the Doane Master's of Counseling degree, as she believed there are similarities between the program and University of Nebraska at Lincoln's Counseling Psychology degree.

Ms. Chiles has responded to Ms. Fairbanks that the statutes governing the practice of psychology are very clear. To be eligible for registration as a psychological assistant, one must have a master's degree in clinical psychology, counseling psychology, educational psychology, or an educational specialist degree in school psychology. There is no authority to review equivalent training or degrees. In order to include other degrees that would be acceptable, the statutes governing psychology would need to be amended through the legislature. Ms. Chiles also sent Ms. Fairbanks the text of Neb. Rev. Stat. § 71-1,206.25. Since psychological testing is not part of the scope of practice of a mental health practitioner, I would suspect that the degree programs, other than psychology programs, which prepare students to achieve a mental health practice license may not include adequate coursework in psychological testing, interpretation, etc. If a legislative change is proposed, further research would be necessary to assure that adequate training and education is provided in the master's degree program in order for the individual to be prepared to provide the psychological testing services.

◆ **MOTION:** Jeffrey moved, seconded by Bizzell to respond to Ms. Fairbanks' concern by stating that the Board sees no benefit to the people of Nebraska in the Board seeking an amendment to the current applicable statutes to include 'equivalency reviews'. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey, Ruhlman. (6) Voting nay: none (0). Absent: none (0). Motion carried.

### **Andrea Beebe**

Ms. Beebe applied for licensure as a psychological assistant. She received a master's of science degree in education related sciences (education diagnostician) from the University of Houston. She is currently enrolled at Kent State University at working toward a doctor of philosophy and school psychology degree. Ms. Beebe is requesting a recommendation as to whether the Board believes the master's degree meets the statutory definition. A discussion ensued and a motion was made.

◆ **MOTION:** Wall moved, seconded by Jeffrey to respond to Ms. Beebe's concern by stating that the Master's of science in education related sciences does not meet the psychological assistant certification requirements. A roll call vote was taken. Voting aye: Bizzell, Curran, Heermann, Ullman, Wall, Jeffrey, Ruhlman. (6) Voting nay: none (0). Absent: none (0). Motion carried.

### **c. Administrative Penalties**

There were no administrative penalties assessed since the last meeting of the Board.

## **7. UNFINISHED BUSINESS**

### **a. Board Newsletter**

Gray reported that Chiles stated that the newsletter had been returned from the Department's Division on Communications. Minor grammatical changes will be made and the newsletter will soon be distributed.

**b. Board Sponsored C.E. Program**

Ullman reported about evidence-based practice. He also recommended a state-wide workshop teaching motivational interviewing and evidence-based practice to trainers. The Board discussed advantages and disadvantages of such a workshop program in terms of commitment, economics, qualifications, and cost. It was suggested that psychologists would not be charged, but all others would be charged.

Ullman suggested that he would continue to research topic areas for a Board sponsored CE program.

**c. Update on Worksession**

Members stated that one of the major topics discussed at the Board Worksession was the lack of a definition of "consultation" in the regulations. Also discussed was the requirements for post-doctoral supervised experience and how that impacted certain groups of people such as tenure-track faculty at universities.

Scalora thanked the Board for considering adding proposed flexibility to the regulations, specifically adding supervision to direct service. A significant amount of training activity involves supervision and preparatory work. Scalora also discussed the limited flexibility of the statute that allows two years from the time a provisional psychology license is granted to the time the psychologist license may be granted, as some new faculty sometimes needs more than two years.

Ullman discussed the need for more research on that portion of the regulations which allow activities that do not require a license. The colleges do not promote the use of psychological assessment.

Dr. Cole expressed a concern in regard to LB1199. A group is working to establish credentialing, training and treatment criteria for sex offender therapist licensure. Dr. Cole's concern regards the history of the exclusion of psychologists from this type of licensure. He spoke to Dennis McCarthy about this issue. He is a highly trained researcher scientist and practitioner who is established at the University of Nebraska a substance abuse treatment program. He was told that he was not qualified to evaluate and determine who is appropriate for substance abuse treatment in the criminal justice system. Individuals have been referred to him and then told that they cannot be treated by McCarthy because he is not qualified, even though others with less than one year of post-high school training are qualified.

Scalora expressed the concern for potential unintended consequences and cautioned the Board to be aware of consequences such as a bypass of discipline-driven licensing boards. Due to an encroachment on population-specific accreditation, people could potentially by-pass the degree requirements and then get specialized permission to work with rather high-need populations. Scalora suggested that since there are very few people working in this area that the State take less of a regulatory approach and more of a developmental approach and encourage the development and support of practitioners who want to work with this high-risk population and assist people provide training, peer review, administrative support which we can do with mechanisms that already exist without having to create a new licensing entity.

1:29 P.M. - Dr. Jim Cole and Mario Scalora entered the meeting.  
1:30 to 1:40 P.M. - Break

**d. Other**

Gray read the definition of "consultation": a professional, collaborative relationship, the purpose of which is to improve the delivery of services. The consultee (or designated supervisor) has sole responsibility for deciding the correct course of action. Any psychology licensee who served as a consultant is immune from monetary liability or any action which may arise.

3:08 P.M. - Cole, Scalora, Agena departed the meeting.  
3:10 P.M. - Agena returned

**8. ORAL EXAMINATION ADMINISTRATION**

**a. Meeting the Board**

There was no additional discussion.

## **9. NEW BUSINESS**

### **a. Correspondence**

None reported

### **b. Other**

- Ullman addressed an issue regarding the regulations definition of “unprofessional conduct” by psychologists, and a section under “assessment treatment techniques”. He suggested that the board members consider this definition before the next Board Meeting and consider amending it.
- Gray announced that there are currently 401 psychologists and 13 special psychologists whose licenses expire January 1, 2007.

## **10. ANNOUNCEMENTS**

The next Board Meeting is scheduled for January 19, 2007.

Ullman announced that Robert Hare will be in the area on February 22, 2008 and Ullman is arranging Psychopathology Checklist training.

Ullman expressed appreciation of Dr. Jeffrey's service to the Board and the State and presented her with a plaque commemorating her service.

## **11. ADJORNMENT**

There being no further business, the meeting of the Board of Psychologists adjourned at 3:10 P.M.

Respectfully submitted,

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Diane Miller-Ruhlman, Secretary  
Board of Examiners of Psychologists

Summarized by: Cindy Kelley, Credentialing Specialist - Credentialing Division

### **2007 Meetings:**

**January 19**  
**March 16**  
**May 18**  
**July 20**  
**September 21**  
**November 16**